

DECISION DATE	APPLICATION NO. 03/01409/FUL	SCHEDULE NO: <b>A12</b>
DEVELOPMENT PROPOSED  ERECTION OF A STABLE BLOCK FOR HORSES.		SITE ADDRESS  FIELD 2619 LOW ROAD HALTON-WITH-AUGHTON LANCASHIRE
APPLICANT:  Mrs J Cragg C/o Agent		AGENT:  Mason Gillibrand Architects

**REASON FOR DELAY**

Awaiting additional information

**PARISH NOTIFICATION**

None to date, any comments will be reported to committee.

**LAND USE ALLOCATION/DEPARTURE**

Lancaster District Local Plan - Within the Countryside area, bounded by the Forest of Bowland Area of Outstanding Natural Beauty

**STATUTORY CONSULTATIONS**

**County Highways** - The development is to be accessed via an existing field access. The access has limited visibility but given the existing nature of the use a valid objection could not be raised subject to restriction of the stabling to this scale of proposal and non-commercial use.

**Shell UK** - The field within which the stable block is located is affected by the line of the Shell North Western Ethylene Pipeline but would raise no comments in respect of the proposed development.

**OTHER OBSERVATIONS RECEIVED**

7 letters of objection have been received from local residents. The grounds for objection include: -

- Concerns over localised flooding of the field and possible ground water contamination from manure storage.
- A public footpath crosses the field and its use for horses is inappropriate.
- The proposed design, materials and appearance of the stable block is inappropriate for the location within the landscape bordering the Forest of Bowland AONB.
- Concerns over the long-term use of the site for commercial purposes including livery stables.
- The existing access into the field is substandard.
- The route of an Ethylene Pipeline crosses the site.
- The stable block is of an inappropriate size and scale for its rural location.

**REPORT**

This form of application would normally be dealt with under the scheme of delegation, however, following concerns raised by local residents and the local councillor has requested that the application is presented to the planning committee for determination.

Site & its Surroundings

The application site is located on Low Road approximately 200 metres from the eastern edge of Halton. The site comprises a 4.3 acre field with a frontage to Low Road. The southern part of the field is slightly lower than the adjacent Low Road with the remaining field rising steeply to the north. A 1.5m high hawthorn hedgerow runs along the fields southern boundary with Low Road.

The proposal

The proposal seeks consent for the erection of a stable block 9.0m long x 3.6m wide x 3.5m high. The stables comprise three bays a central open shelter and stabling to either side of the open shelter. The building is constructed of a light coloured tongue and groove timber boarding with a green felt roof. The stable stands on a concrete base and is to be surrounded by crushed stone.

Planning History

The site has no direct planning history and until recently formed part of a larger agricultural holding.

Planning Policy

The site lies within the Countryside Area and is bounded by the Forest of Bowland Area of Outstanding Natural Beauty (AONB) as designated within the Lancaster District Local Plan. Policies E4 and E3 respectively relate to these land designations. Both these policies are developed to provide protection for the landscape, its character and natural beauty. Development would only be acceptable that did not have an adverse affect upon the landscape, was constructed to a scale/design and of materials appropriate to the locality. In addition, the development would not result in an adverse effect upon interests of nature conservation or geological importance. Policies 1 and 25 of the Lancashire Structure Plan are similarly aimed at protecting the rural landscape from inappropriate development, seeking to only grant consent for development that is appropriate to the rural area and is in keeping with the landscape character of the area.

Policy R10 of the Lancaster Local Plan relates to Equestrian Development within the countryside. The policy is supportive of equestrian development that is of an appropriate scale, design, materials and landscaping. In addition, development should not have an adverse impact upon wildlife habitat, best and most versatile land or public rights of way. Consideration is directed towards the location of these forms of development close to existing settlements.

Comments

The site is located within the Countryside Area on the boundary of the Forest of Bowland AONB. This location is in a sensitive rural landscape and warrants special attention in respect of the form, design and impact of any new development. As submitted the proposals were unclear and clarification was sought as to the precise size, detail and external finish of the proposed stable block. Consultation responses were also awaited particularly in respect of the possible impact of the development upon the ethylene pipeline that crosses diagonally through the application field.

Following submission of the application the applicant has become increasingly concerned over the condition of the horses on the field. They had no shelter from the winter conditions and had been diagnosed as 'losing condition' by a veterinary surgeon. In order to address these concerns over the welfare of the horses, the applicant sited a mobile shelter close to the southern boundary of the field in a position similar to that of the proposed stable block.

The mobile shelter is designed in such a manner as to be moveable, mounted upon sleds. Recent planning case law has determined that this form of mobile shelter does not constitute development and does not therefore require the benefit of planning consent for its siting. However, the shelter still has a presence within the field and the wider landscape. The shelter is relatively low and is screened from

Low Road when viewed from the west (Halton). However it is clearly visible from the east on approach from Caton and from the public footpath that crosses the field east-west at a more elevated position.

Following receipt of precise information in respect of the scale, materials and design of the stable block which does require planning consent it was considered that in isolation that the proposal would have been appropriate, subject to siting and the timber boarding being stained a darker colour (green or brown). However, it is considered that the cumulative impact of both the proposed stable block and the siting of the mobile shelter would be detrimental to the character and quality of the landscape. The field bounds the Forest of Bowland AONB and the stables/shelter and would be viewed from the elevated public footpath across and into the AONB.

This cumulative effect is of particular concern as the neighbouring field has also been recently sold as a separate lot and could result in a similar equestrian presence, a feature and trend more commonly seen within the district and across the country.

In an attempt to address these concerns the applicant was approached to consider whether a legal agreement could be entered into which sought the removal of the mobile shelter and the maintenance of the field clear of such structures in the future upon granting of consent for the stable block. However the applicant has only indicated a willingness to enter a legal agreement to control future structures/shelters in the field providing the recent bought and sited mobile shelter is allowed to remain in addition to the proposed stable block. This is not acceptable from a planning view point.

#### Conclusion

It is considered that the impact of both the mobile shelter and the proposed stable block would have an adverse impact upon the character and landscape quality of this sensitive rural location. The proposal would therefore be contrary to policies E3, E4 and R10 of the Lancaster District Local Plan and Policies 1 and 25 of the Lancashire Structure Plan. The proposal should therefore be resisted.

#### **HUMAN RIGHTS ACT IMPLICATIONS**

It is recognised that a recommendation of refusal would result in an interference with the applicant's human rights. However, on the facts of this case it is considered both necessary and proportionate to interfere in the public interest in light of the concerns set out in this report and for the stated reasons.

#### **RECOMMENDATIONS**

That **PERMISSION IS REFUSED** for the following reasons: -

1. Proposal is contrary to policies E3 and E4 of the Lancaster District Local Plan.
2. Proposal is contrary to policy R10 of the Lancaster District Local Plan.
3. Proposal is contrary to policies 1 and 25 of the Lancashire Structure Plan